



WEEKLY REPORT

ARIZONA GAME AND FISH DEPARTMENT

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Arizona Game and Fish Commission

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Publish Date: Friday, April 15, 2016

Day of Session: 96
Bills Posted: 1219
Bills Passed: 106
Bills Vetoed: 1
Bills Signed: 105
Mem, Res Posted: 111
Mem, Res Passed: 28

Upcoming Session Deadlines

April 15 - Last day for conference committees.

April 19 – 100th day of session.

April 23 - Saturday of the week of the 100th day of session. This is the date required by rule for sine die adjournment unless leaders extend the deadline. Leadership can extend it no more than 7 days; thereafter any extension requires a majority vote in each house.

April 30 - Session cannot extend beyond this date without majority vote in both houses.

Weekly Report is published by the Arizona Game and Fish Department's Legislative and Government Affairs Division. While the state's Legislature is in session, legislative staff provides a summary of bills that pertain to the Department, or that the Arizona Game and Fish Commission has voted to support or oppose, and a tracking list of bills that may have potential impacts to the state's wildlife resources. The Legislative and Government Affairs staff also actively monitors and reports on Congressional Legislation with potential impacts to the Department, and those reports (Congressional Courant) are also available online at: [AZGFD Government Affairs](http://AZGFD.GovernmentAffairs)

Commission Legislative Agenda

HB 2575: *G&F; penalties; law enforcement; omnibus*

Summary: A Game and Fish Commission bill including various changes relating to game and fish regulations. The fines for unlawfully taking, wounding, or killing specified animals are applied to any person convicted of unlawfully feeding wildlife that results in the lethal removal of that wildlife. The Game and Fish Commission is authorized to bring a civil action to enforce the civil penalties for unlawfully taking, wounding or killing wildlife. Any person against whom the Commission imposes a civil penalty for the unlawful taking or possession of wildlife may be denied the right to obtain a license to take wildlife until the person has made full payment of the penalty. Monies in the Wildlife Theft Prevention Fund may be used for investigations of fraud related to licenses, permits, tags or stamps. **Sponsor:** Rep. Cobb

Disposition: House Energy, Environment & Natural Resources 2/08/16 – **DO PASS 7-0-0-2**

House Rules 2/15/16 – **DO PASS 6-0-0-3**

House Third Read 2/18/16 – **PASSED 46-11-3-0**

Senate Natural Resources 2/29/16 – **DO PASS 5-1-1-0**

Senate Government 3/02/16 – **DO PASS 4-2-1-0**

Senate Judiciary 3/10/16 – **DO PASS 6-0-1-0**

Senate Rules 3/14/16 – **PFC**

Heard in Senate Minority & Majority Caucus 3/23/16

Senate COW 4/05/16 - **APPROVED**

HB 2465: *G&F; in-lieu fee; trust fund*

Summary: A Game and Fish Commission bill establishing the Game and Fish In-Lieu Fee Program Restoration Endowment Trust Fund to be used to fulfill the Game and Fish Department's obligations as an in-lieu fee sponsor under the federal Clean Water Act. The Fund consists of monies deposited from proceeds received by the Department as an in-lieu fee sponsor. Monies in the Fund are continuously appropriated. The beneficiaries of the trust are the in-lieu fee projects sponsored by the Department under the Clean Water Act.

Sponsor: Rep. Brophy McGee

Disposition: House Energy, Environment & Natural Resources 2/01/16 – **DO PASS 7-0-0-2**
House Rules Committee 2/08/16 – **DO PASS 7-0-0-2 with a technical amendment.**
House COW 2/11/16 - **Approved** with the rules tech amendment
House Third Read 2/16/16 – **PASSED 60-0-0-0**
Senate Natural Resources 2/29/16 – **DO PASS 6-0-1-0**
Senate Appropriations 3/08/16 – **DO PASS 8-0-0-0**
Senate Rules 3/14/16 – **PFC**
Heard in Senate Minority & Majority Caucus 3/23/16
Senate COW 3/28/16 - **APPROVED**

SB 1361: *G&F; heritage fund; expenditures*

Summary: At least 20 percent, decreased from 40 percent, of monies in the Game and Fish Commission Heritage Fund that are available for property with sensitive habitat must be spent to acquire property to acquire property with sensitive habitat used by endangered, threatened and candidate species. Not more than 20 percent of those monies may be spent on the operation and maintenance of the acquired property, including infrastructure.

Sponsor: Sen. Griffin

Disposition: Senate Natural Resources 2/08/16 – **DO PASS 5-0-2-0**
Senate Appropriations 2/16/16 – **DO PASS 5-2-1-0**
Senate Rules 2/22/16 – **PFC**
Senate Consent 2/23/16 - Stricken from calendar by Rep. Farley
Senate COW 2/29/16 – **APPROVED**
Senate Third Read 3/01/16 – **PASSED 21-8-1-0**
House Agriculture, Water & Lands 3/17/16 – **DO PASS 7-1-0-2**
House Rules 3/24/16 – **C&P 8-0-0-1**
House COW 3/24/16 - **APPROVED**

Commission Supported Legislation

HB 2324: *G&F; military spouses; resident licenses*

Summary: The spouse of a member of the U.S. Armed Forces who is on active duty and stationed in Arizona is allowed to purchase a resident license permitting the taking of wildlife.

Sponsor: Rep. Pratt

Disposition: House Military Affairs & Public Safety 1/28/16 - **DO PASS 7-0-0-1**
House Rules 2/15/16 – **DO PASS 6-0-0-3**
House Third Read 2/18/16 – **PASSED 57-0-3-0**
Senate Natural Resources 2/29/16 – **DO PASS 6-0-1-0**
Senate Public Safety, Military & Technology 3/09/16 – **DO PASS 6-0-0-0**
Senate Rules 3/14/16 – **PFC**
Senate COW 3/24/16 – **APPROVED**

SB1243: *Mexican wolf; G&F approval; reporting*

Summary: Before a Mexican gray wolf is released, translocated or cross-fostered in Arizona, the Game and Fish Commission is required to approve the release, translocation or cross-fostering. The Commission is prohibited from approving these actions within three miles of state trust land or without a full DNA profile on each Mexican gray wolf. The Game and Fish Department is required to report to the Commission at every Commission meeting a list of specified information relating to Mexican gray wolves.

Sponsor: Sen. Griffin

Disposition: Senate Water & Energy 2/01/16 – **DO PASS 5-2-0-0**

Senate Natural Resources 2/01/16 – **DO PASS 6-1-0-0**

Senate Rules 2/16/16 – **PFC**

Senate Consent 2/16/16 - Stricken from calendar by Rep. Yarbrough

Senate COW 2/25/16 - **APPROVED** with floor amend [#4573](#).

Senate Third Read 2/29/16 – **PASSED 21-9-0-0**

House Agriculture, Water & Lands 3/10/16 – **DO PASS AS AMENDED ([#4861](#)) 7-2-0-0**

House Rules 3/14/16 – **C&P 8-0-0-1**

House COW 3/16/16 - **APPROVED** with floor amend [#4930](#), a substitute for amend #4861

House Third Read 3/28/16 – **PASSED 40-18-2-0**

SCM1014: *administratively recommended wilderness; urging Congress*

The Legislature urges the U.S. Congress to act to prohibit federal agencies from recommending and identifying Arizona's public lands as wilderness areas without express congressional consent. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona.

Sponsor: Sen. Griffin

Disposition: Senate Water & Energy 2/08/16 – **DO PASS 5-2-0-0**

Senate COW 2/18/16 – **APPROVED**

Senate Third Read 2/22/16 – **PASSED 21-8-1-0**

House Agriculture, Water & Lands 3/10/16 – **DO PASS 5-3-0-2**

House Rules 3/14/16 – **C&P 8-0-0-1**

Heard in House Minority & Majority Caucus 3/15/16

House Third Read 4/04/16 – **PASSED 34-24**

Other Bills of Interest

HB 2051: *catastrophic public nuisance; determination; abatement*

Summary: The mayor of a municipality may determine that a "catastrophic public nuisance" (defined) exists on state or federal land located within the municipal borders, and the chairman of the county board of supervisors or the county sheriff may determine that a catastrophic public nuisance exists on state or federal land located within the county borders. Factors that may be considered in evaluating whether a catastrophic public nuisance exists are listed. On determining that a catastrophic public nuisance exists, the official must notify the federal or state agency that manages the land, and the notice must include specified information, including a demand that the agency either abate or make a plan to abate the catastrophic public nuisance by a specified date at least 30 days after the date the notice is received. If the agency does not respond by that date or otherwise does not take action, and if the nuisance constitutes a threat to public health, safety and welfare, the official must pursue all remedies allowed by law.

Sponsor: Rep. Finchem

Disposition: House County & Municipal Affairs 2/15/16 - **HELD**

HB2105: *veterans with disabilities; benefits*

Summary: The Game and Fish Commission is authorized to issue a complimentary license to a veteran of the U.S. armed forces who has been an Arizona resident for at least one year and who is receiving compensation from the U.S. government for permanent service-connected disabilities rated as at least 25 percent disabling, instead of 100 percent disabling. A veteran certified by the U.S. Department of Veterans Affairs as having at least a 25 percent disability, instead of 100 percent, is exempt from vehicle license taxes and registration fees for a personally owned vehicle. The Arizona State Parks Board is required to issue at no charge a parks pass that grants park entrance to all Arizona state parks and to waive camping and overnight parking fees for up to 10 days per month for a veteran with a service-connected disability of at least 25 percent.

Sponsor: Rep. Lovas

Disposition: House Military Affairs & Public Safety Thurs. 2/04/16 – **FAILED 3-5-0-0**

HB 2201: *sovereign authority; commandeering; prohibition; exception*

The state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any "action" (defined) of the U.S. government that constitutes "commandeering," defined as any action that is not in pursuance of the U.S. Constitution and that has not been affirmed by a vote of the U.S. Congress and signed into law as prescribed in the U.S. Constitution, or any action that exceeds the powers of the U.S. Congress enumerated in the U.S. Constitution, unless specifically authorized by state legislation.

Sponsor: Rep. Thorpe

Disposition: House Federalism & States' Rights Wednesday 2/10/16 - **PASSED 5-1-0-3-0**

House Rules 2/15/16 – **C&P 6-0-0-3**

House Third Read 2/18/16 – **PASSED 31-27-2-0**

Senate Federalism, Mandates & Fiscal Responsibility 3/08/16 - **DO PASS AS AMENDED 4-3-0-0. Amend #4826.**

Senate Rules 3/24/16 – **PFC**

Senate COW 3/31/16 - **APPROVED AS AMENDED #4826**

Senate Third Read 4/05/16 – **FAILED 14-15-1-0**

Senate 4/06/16 - Voted to reconsider 4/05/16 failure to pass bill.

Senate Third Read 4/13/16 – **FAILED ON RECONSIDERATION 15-15-0-0**

HB 2340: *wild horses; management prohibition*

Summary: The Salt River wild horse herd is property of the state of Arizona under the jurisdiction of the Animal Services Division of the Department of Agriculture. A person is prohibited from actively managing, taking, slaughtering or euthanizing a horse that is part of the herd without written authorization from the Division. The state is not obligated to pay for the management of the herd. Violations are a class 1 misdemeanor. Emergency clause. This bill was amended #4337 with various, significant changes.

Sponsor: Rep. Townsend

Disposition: House Federalism & States' Rights 2/17/16 – **DO PASS AS AMENDED 5-2-0-1**

House Rules 2/22/16 – **C&P 5-2-0-2**

House COW 2/24/16 – **APPROVED** – with floor amend [#4524](#), a substitute for amend [#4337](#).

House Third Read 2/25/16 – **PASSED 38-22-0-0**

Senate Federalism, Mandates & Fiscal Responsibility 3/08/16 – **DO PASS AS AMENDED 7-0-0-0. Amend #4827**

Senate Rules 3/14/16 – **PFC W/FL**

Senate COW 4/05/16 – **APPROVED** - with amend [#4827](#) and floor amend [#5113](#).

Senate Third Read 4/11/16 – **PASSED 27-2-1-0**

SB 1164: *G&F; licenses; veterans*

The Game and Fish Department is required to award a bonus point to a person who submits satisfactory proof to the Department that the person is an honorably discharged veteran of the U.S. Armed Forces.

Sponsor: Rep. McGuire

Disposition: Senate Public Safety, Military & Technology 2/10/16 – **DO PASS 6-0-0-0**
Referred to Senate Natural Resources

SB 1268: *adequate water supply requirements; municipalities*

The Department of Water Resources is no longer required to give written notice of county adequate water supply ordinances to the mayors of all municipalities in the county, and municipalities that receive the notice are no longer required to comply with specified adequate water supply requirements. Applies to any municipality that received a notice from the Dept before the effective date of this act that the county in which the municipality is located enacted an adequate water supply ordinance affecting the municipality, and those municipalities are no longer bound by that county's adequate water supply ordinance. Does not apply to any municipality that adopts its own adequate water supply ordinance before, on, or after the effective date of this act. This bill was amended [#4138](#) to change the language of the bill, but this did not substantially change the purpose of the bill.

Sponsor: Sen. Griffin

Disposition: Senate Water & Energy 2/08/16 - **DO PASS AS AMENDED 5-2-0-0**
House Rules 2/16/16 – **C&P**
Senate COW 2/17/16 - **APPROVED AS AMENDED**
Senate Third Read 2/18/16 – **PASSED 21-8-1-0**
House Agriculture, Water & Lands 3/10/16 – **DO PASS 5-3-0-2**
House Rules 3/14/16 – **C&P 8-0-0-1**
House Consent 3/15/16 – Stricken from calendar by Rep. Otondo..
House COW 3/30/16 - **APPROVED AS AMENDED** [#5061](#)
House Third Read 3/31/16 – **PASSED 33-25-2-0**

SB 1398: *fuel taxes; streets and highways*

Revenues collected from motor vehicle fuel and use fuel taxes are required to only be spent for road, street and highway purposes, including maintenance.

Sponsor: Sen. Griffin

Disposition: Senate Transportation 2/16/16 – **DO PASS 5-1-2-0**
Senate Rules 2/23/16 – **PFC**
Senate Consent 2/23/16 - Stricken from calendar by Rep. Yarbrough, Rep. Farnsworth
Senate COW 2/25/16 – **APPROVED** with floor amend [#4577](#)
Senate Third Read 2/29/16 – **PASSED 29-1-0-0**
House Agriculture, Water & Lands 3/17/16 – **DO PASS AS AMENDED** [#4965](#)
House COW 3/30/16 - **APPROVED AS AMENDED**
House Third Read 4/06/16 – **PASSED 59-0-1-0**

SB1428: *PSPRS modifications*

Various changes to statutes relating to the Public Safety Personnel Retirement System. Establishes a method for determining the employer and member contributions to PSPRS for members hired on or after July 1, 2017. Modifies the definition of “average monthly benefit compensation” for the purpose of determining PSPRS retirement benefit amounts and the definition of “normal retirement” and applies these changes only to members hired on or after July 1, 2017. For members who are hired on or after July 1, 2017, the annual compensation of each member taken into account for purposes of the system cannot exceed \$110,000, decreased from \$200,000. Beginning in FY2020-21 and every third FY after, the PSPRS Board is required to adjust the annual compensation limit by the average change in the public safety wage index as determined by a specified method. Establishes retirement multipliers based on years of credited service for members who

become a PSPRS member on or after July 1, 2017. Repeals statutes providing for benefit increases, and establishes cost-of-living adjustments for members hired on or before June 30, 2017, and for members hired on or after July 1, 2017. Increases the number of members of the PSPRS Board to nine, from seven, and modifies requirements for Board members. Establishes a 10-member PSPRS Advisory Committee. The PSPRS Board is required to establish a Public Safety Personnel Defined Contribution Plan (DC Plan) to provide for the retirement of specified participants beginning July 1, 2017. Establishes powers and duties of the Board for the DC Plan, and establishes member and employer contributions to the DC Plan. An employee who is hired on or after July 1, 2017 and who was not a member of the PSPRS on June 30, 2017 is eligible and may elect to participate in either the PSPRS or in the DC Plan, and the election made is irrevocable. The employee's participation in either system begins 90 days after the date the employee is hired. Also establishes a DC Plan disability program. More. Conditionally enacted on the state Constitution being amended as prescribed by an unspecified Senate concurrent resolution (blank in original) by vote of the people at the special election on May 17, 2016. Severability clause.

Sponsor: Sen. Lesko

Disposition: Senate Finance 2/03/16 – **AMENDED – 5-0-0-0** [#4059](#)

Passed Senate 2/04/16 - **28-0-2-0**

House Insurance 2/10/16 – **DO PASS 7-1-0-0**

House Rules 2/11/16 – **C&P 7-2-0-0**

House COW 2/11/16 - **APPROVED** with floor Amend [#4217](#)

House Third Read 2/11/16 - **PASSED 49-10-1-0**

Senate Third Read 2/15/16 - Concurred with House amend. - **PASSED ON FINAL READ 28-0**

Signed by Governor 2/16/16 - **Chap. 2, Laws 2016**

SB1449: *Unmanned aircraft; prohibited operations*

It is a class 1 (highest) misdemeanor for a person to operate a “model aircraft” or a “civil unmanned aircraft” (both defined) if the operation is prohibited by a federal or state law or regulation that governs aeronautics, interferes with a law enforcement or emergency services operation, or causes the intentional killing of a bird or animal while in flight. It is a class 6 (lowest) felony for a person to operate or use an “unmanned aircraft” or “unmanned aircraft system” (both defined) to intentionally photograph or electronically record, to collect information for the purpose of conducting surveillance or gathering evidence on or to loiter over or near a “critical facility” (defined) without a permit or the prior written consent of the owner or operator of the critical facility, except that a second or subsequent violation is a class 5 (second-lowest) felony. It is a class 1 misdemeanor for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph or electronically record, to collect information for the purpose of conducting surveillance or gathering evidence on or to loiter over or near another person or that person's real property without the prior written consent of the person. Some exceptions. A person commits criminal trespass in the first degree, a class 5 (second-lowest) felony, by knowingly entering or remaining unlawfully in or on a critical facility, including through the use of an unmanned aircraft. A person commits criminal trespass in the first degree, a class 1 misdemeanor, by knowingly entering any residential yard through the use of a model aircraft and, without lawful authority, looking into the residential structure thereon in reckless disregard of infringing on the inhabitant's right of privacy. A person commits disorderly conduct, a class 1 misdemeanor, if, with intent to disturb the peace or quiet of a neighborhood, family or person, a person recklessly or with criminal negligence operates a model aircraft or civil unmanned aircraft that endangers a person or a person's real property. Beginning on the effective date of this legislation and for three years after, the Department of Transportation is required to monitor the Federal Aviation Administration's regulation of model aircraft, civil unmanned aircraft and public unmanned aircraft and consult with stakeholders on whether amendments to these provisions are necessary due to changes in federal regulations. In each year that monitoring is required, the Dept is required to submit a report to the Legislature that makes recommendations for amendments. AS PASSED SENATE.

Sponsor: Sen. Kavanagh

Disposition: Senate Transportation 2/16/16 – **DO PASS AS AMENDED 5-1-2-0**

Senate Judiciary 2/18/16 – **DO PASS AS AMENDED 7-0-0-0**

Senate Rules 2/22/16 - **PFC W/FL**

Senate COW 3/02/16 – **APPROVED** with amend [#4408](#) and floor amend [#4744](#)

Senate Third Read 3/03/16 – **PASSED 29-1-0-0**

House Judiciary 3/16/16 - **DO PASS AS AMENDED 6-0-0-0**. Amend [#4921](#)

House Rules 3/24/16 – **C&P 8-0-0-1**

Heard in House Minority & Majority Caucus 3/24/16

House COW 3/28/16 - **APPROVED** with floor Amend [#5035](#), a substitute for amend 4921.

House Third Read 3/30/16 - **PASSED 57-0-3-0**

[SB1515](#): Original title: *amusement gambling; definition; money*

STRIKER AMENDMENT #4410: Current title: *fantasy sports league competitions; definitions*

Subject of Strike Everything Amendment: Defines *fantasy sports league competitions* as any fantasy or simulated sports game or educational game or contest that involves a fantasy team that is not based on the current membership of an actual team, that is a member of an amateur or professional sports organization, and that meets the following conditions:

- a) all prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest and the value of the prizes and awards is not determined by the number of participants or the amount of any fees paid by those participants;
- b) all winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individuals in multiple, real world sporting or other events; and
- c) a winning outcome is not based on the score, point spread, or performance of any single real world team or any combination of teams or solely on any single performance of an individual athlete in any single real world sporting or other event.

Fantasy sports league competitions are excluded from the statutory definition of gambling. The state is required to request arbitration of a dispute resolution that alleges this legislation constitutes a change in state law that permits a gambling activity that was not authorized before May 1, 2002. Contains a conditional enactment clause that repeals the definition of fantasy sports league competitions if a court of competent jurisdiction or an arbitrator finds that the legislation constitutes a change in state law that was not authorized by law before May 1, 2002. A deadline of December 31, 2026 is established for this finding.

Sponsor: Driggs

Disposition: Senate Judiciary 2/18/16 – **AMENDED STRIKE EVERYTHING 5-2-0-0**

House Rules 2/22/16 – **FAILED 2-5-0-0**

**For a Quick Reference to the Commission's
Position on legislation, please click the links below.**

[SUPPORT](#)
[MONITOR](#)
[OPPOSE](#)

- Support – The Arizona Game and Fish Commission has voted to support these bills
- Monitor – The Game and Fish Department is monitoring the progress of these measures, and the Arizona Game and Fish Commission has not taken a position.
- Oppose – The Arizona Game and Fish Commission has voted to oppose these bills.

If you have questions relating to legislation, please contact:

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